



November 24, 2021

VIA ECF

Hon. John G. Koeltl
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *Candelario Cordero v. Elezaj & Sons Realty Associates, LLC, et al.*
Docket No.: 21-cv-06899 (JGK)

Dear Judge Koeltl:

This firm represents Plaintiff Candelario Cordero in the above-referenced matter brought against Defendant Elezaj & Sons Realty Associates, LLC, Marash Elezaj, and Kola Elezaj, for alleged violations of the Fair Labor Standards Act and New York Labor Law. This matter is scheduled for an initial conference on November 29, 2021 at 3:00 p.m. Plaintiff writes to request an adjournment of the initial conference due to an unexpected scheduling conflict.

Specifically, Plaintiff's counsel's infant son is scheduled to undergo surgery late next week. Unfortunately, Plaintiff's counsel learned on Monday, November 22, 2021, that Plaintiff's counsel's son has to appear for a pre-operative appointment on Monday, November 29, that conflicts with the scheduled initial conference. After speaking with his medical provider, Plaintiff's counsel has been informed that the scheduling of the pre-operative appointment is tied to the date of the surgery and has to proceed as scheduled. The undersigned apologizes for any inconvenience caused by this unexpected and unavoidable conflict.

Accordingly, Plaintiff requests that the Court adjourn the initial conference to a date that is convenient to the Court and a corresponding extension of time to submit the related Rule 26(f) report. Plaintiff's counsel is available to proceed with this initial conference on December 27, 2021, January 3 (during the afternoon), January 10, January 17, and January 24, 2022 (during the afternoon). This is Plaintiff's first request for the relief sought.

Plaintiff's counsel reached out to Defendants' counsel on November 22, 2021 promptly after learning about this conflict and again on November 23, 2021 regarding whether Defendants' consent to this request and regarding new dates for an adjourned conference. Plaintiff's counsel has not received a response to those communications and also did not receive any form of automatic out of office message. Plaintiff's counsel cannot wait longer for a response by Defendants. As such, Plaintiff's counsel cannot represent what position Defendants would take on this request.

We thank the Court for its consideration of this request.

Respectfully submitted,

/S/ David D. Barnhorn, Esq.
DAVID D. BARNHORN, ESQ.

C: All Counsel of Record *via* ECF